

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PAVEL VOLODKIN et al.,

CASE NO. 2:24-cv-00434-LK

Plaintiffs,

ORDER GRANTING STIPULATED
MOTION TO HOLD CASE IN
ABEYANCE

UR M. JADDOU et al.,

Defendants.

This matter comes before the Court on the parties' Stipulated Motion to Hold Case in Abeyance. Dkt. No. 26. Plaintiffs brought this litigation under the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel U.S. Citizenship and Immigration Services ("USCIS") to adjudicate their Form I-589 Application for Asylum and for Withholding of Removal. Dkt. No. 1 at 11–15; *see also* Dkt. No. 1-4 (Plaintiffs' Form I-589). Defendants' response to the complaint is currently due on October 26, 2024. Dkt. No. 26 at 1. Because the parties are currently working towards an out-of-court resolution to this litigation, they now move this Court to hold the case in abeyance until January 28, 2025. *Id.* at 1–2.

“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). The Court “may order a stay of the action pursuant to its power to control its docket and calendar and to provide for a just determination of the cases pending before it.” *Leyva v. Certified Grocers of Cal., Ltd.*, 593 F.2d 857, 864 (9th Cir. 1979). In considering whether to grant a stay, courts consider several factors, including “the possible damage which may result,” “the hardship or inequity which a party may suffer in being required to go forward,” and “the orderly course of justice[.]” *CMAX, Inc. v. Hall*, 300 F.2d 265, 268 (9th Cir. 1962).

As noted, this case may be resolved without further judicial intervention. The parties represent that “USCIS has scheduled Plaintiffs’ asylum interview for October 30, 2024” after which USCIS will “work towards completing the adjudications within 90 days of the interview[.]” Dkt. No. 26 at 2. If and when that happens, “Plaintiffs will dismiss the case[.]” *Id.* A stay to allow this process to play out will not cause any damage, nor any hardship or inequity to either party, and will promote the orderly course of justice and preserve the parties’ and the Court’s resources.

The Court thus GRANTS the parties' motion. Dkt. No. 26. This case will be held in abeyance until January 28, 2025. The parties are ORDERED to submit a joint status report on or before January 28, 2025.

Dated this 1st day of October, 2024.

Lauren King
Lauren King
United States District Judge